

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-2(c)

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In Re:

BARRY LEVINE and
MARILYN LEVINE

Debtors.

Case No: 13-36917

Chapter: 13

Hearing Date: November 6, 2014

Judge: Donald H. Steckroth (TBA)

**ORDER APPROVING THE SALE OF SHARES OF STOCK
FREE AND CLEAR OF LIENS, CLAIMS, AND INTERESTS
PURSUANT TO 11 U.S.C. § 363(b), (f), AND (m).**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby

ORDERED.

THIS MATTER having been presented to the Court by John W. Sywilok LLC, counsel for Barry Levine and Marilyn Levine, the Debtors (the “Debtors”), upon motion (“Motion”) for an Order approving the sale of the 597 shares of stock of Unit 18F of 2077 Tenants Corp., (as more fully defined in the Application filed in support of the Motion), free and clear of liens, claims, and interests pursuant to 11 U.S.C. § 363(b), (f), and (m), and notice having been provided to the Office of the United States Trustee; Chapter 13 Trustee, Debtors’ attorney, counsel to the Purchaser and other parties in interest as set forth in the Certification of Service; and counsel for the Purchaser and counsel for the Debtors appearing on the return date of the motion; and the Court having considered the pleadings filed by the Debtors in support of their Motion and pleadings filed by Counsel for Purchaser in support (and opposition filed by the Debtor Pro Se); and the Court having further reviewed the Application of the Debtors submitted in further support of the Motion and the Contract of Sale annexed thereto; and having heard argument from all parties; and the Court having rendered its opinion; and for other good cause having been shown,

IT IS ORDERED that the Debtors’ Motion be and hereby is granted; and it is further **ORDERED**, that the Contract of Sale (annexed as Exhibit “A” to the Application) entered into on or about September 8, 2014, to sell 597 shares of stock of Unit 18F of 2077 Tenants Corp. for \$118,000.00 is hereby approved; and it is further **ORDERED** that the Debtors be and hereby are authorized to sell the shares of Unit 18F to Pedram Alaedini, free and clear of liens, claims, and interests, pursuant to 11 U.S.C. §363 (b), (f), and (m), with valid liens, claims, and interests, if any, to attach to the proceed of sale; and it is further

ORDERED that the Purchasers and the Debtors shall effectuate a closing with regard to the sale of the Property within time prior set forth in Contract unless further extended by consent of the parties or Order of the Court; and it is further

ORDERED that the stay provision under Fed. R. Bankr. P. 6004(h) be and hereby is waived and therefore not applicable to this sale; and it is further

ORDERED that the reversal or modification on appeal of an authorization under Code subsection 363 (b) or 363 (c) of this section of a sale or lease of property does not effect the validity of a sale or lease under such authorization to an entity that purchased or leased such property in good faith, whether or not such entity knew of the pendency of the appeal, unless such authorization and such sale or lease were stayed pending appeal; and it is further

ORDERED that the Debtors are authorized to execute any and all documents necessary to effectuate the sale to the Purchaser; and it is further

ORDERED that the Purchaser is deemed to be a good faith purchaser pursuant to 11 U.S.C. § 363(m).

ORDERED that the Debtors are to turn over to the Chapter 13 Trustee, Marie-Ann Greenberg, the balance of the proceeds of the sale as set forth in the Supplemental Certification of John W. Sywilok.